

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: AUGUST 17, 2007

**AGENDA ITEM
E-1
AUGUST 22, 2007**

APPLICATION FOR SERVICE - TRACT 2688 – CHESTNUT VILLAS (166/186 THOMPSON)

ITEM

Consider Nester Intent-to-Serve Application for water and sewer service for Chestnut Villas Mixed Use Project at 166 & 186 Thompson Avenue (Tract 2688) and transfer allocation from single-family category to multi-family category [RECOMMEND APPROVAL]

BACKGROUND

Your Honorable Board previously approved an Intent-to-Serve Letter for Mixed Use Project (10 multiple-family units and commercial) to Greg Nester Construction for this site on June 23, 2004. That Intent-to-Serve Letter will expire on June 23, 2007 and the applicant has already used his one extension (See 2004 Application and 2004 I-T-S Letter attached). Greg Nester Construction has an executed Plan Check and Inspection Agreement and an outstanding Plan Check Deposit on account at NCSD. The project's development plans have been submitted for Plan Check.

The District received the attached new Intent-to-Serve Application from Greg Nester on April 16, 2007. Your Honorable Board, on May 9, 2007 continued consideration of Mr. Nester's application to this date. Mr. Nester proposes the project as illustrated by the attached site map. Mr. Nester has confirmed his intent to develop this project in the next year.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as 0.18 AFY per multiple-family dwelling. According to Section 3.05.040(A1), a total of thirty-five (10.2) AFY including landscaping is reserved for multiple-family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 10 units at 1.8 AFY (10 times 0.18).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 10 AF for other multiple family dwelling projects in Allocation Year 2006-07. Thus, there is insufficient allocation available in the Multi-Family Category 2 at this time to approve this project without a transfer. The Allocation Policy does, however, allow for transfers between categories. As set forth in the Water Allocation Accounting Summary, sufficient water is available in the Single-Family Category 1 to accommodate this project. To date, single-family projects totaling 19 acre feet have been approved out of 32.5 acre feet available leaving 13.5 acre feet for new projects or transfer (NOTE: there are two other similar applications pending on this agenda).

RECOMMENDATION

Staff recommends your Honorable Board transfer 1.8 AF of water from the Single-Family Category 1 into the Multi-Family Category 2, direct staff to allocate 1.8 AFY of water to the project in accordance the District's water allocation policy and re-issue the Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.

- Water Service for the entire parcel (existing and new) shall be served by two meters – a single master meter for dwelling units and a separate meter for the landscaping.
- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Built" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than multi-family.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the applicant to provide District with written verification that County application for the project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Failure to complete all improvements to District Standards by August 22, 2009. However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.

Should your Honorable Board not wish to approve this Intent-to-Serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENT

- Current Application
- Previous Application
- Water Allocation Accounting Summary



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:
50⁰⁰

INTENT-TO-SERVE/WILL-SERVE APPLICATION

REC'D APR 16 PAID

- This is an application for: 16 Sewer and Water Service _____ Water Service Only
- SLO County Planning Department/Tract or Development No.: TR 2688
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: 166: 186 N. Thompson Ave
- Assessor's Parcel Number (APN) of lot(s) to be served: 090-384-013:014
- Owner Name: Chestnut Villas LLC
- Mailing Address: PO Box 219 Ag. CA 93421
- Email: Dana@gregnesterhomes.com
- Phone: 481-8182 FAX: 481-2790

- Agent's Information (Architect or Engineer):
Name: LGA / Cannon Assoc
Address: _____
Email: _____
Phone: _____ FAX: _____

- Type of Project: (circle as applicable)
Single Family Residence Duplex Secondary (a.k.a. Granny) Unit
Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)

- Number of Dwelling Units 10 Number of Low Income units _____
- Does this project require a sub-division? yes (yes/no)
If yes, number of new lots created 016 airspace

- Site Plan:
For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:
 - more than four dwelling units
 - property requiring sub-divisions
 - higher than currently permitted housing density
 - commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential-portion of mixed use.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.

Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee..... **\$50.00**
(Non-refundable payment attached to this application)

Date 4.16.07

Signed

Dana D. Tuohy
(Must be signed by owner or owner's agent)

Print Name

Dana D. Tuohy

Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California

PROJECT INFORMATION

PROPERTY OWNER/APPLICANT:

K. Bergman Group
17150 Wild Wings Way Suite 100
Los Angeles, CA 90044
310-478-2007

Master Construction
Greg Kester
1177 Main Street
Arroyo Grande, CA 93421
805-481-2182

REPRESENTATIVE:

Lanward Grant Architect (LGA)
150 James Way, Suite 250
Pleasanton, California 94566
ph 805-773-7113 ext.14 fax 805-773-7115

PROJECT DESCRIPTION:

This 19,132 S.F. three story mixed-use building consists of two 4,200 S.F. commercial elements on the lower floor. The upper floor is a series of one and two story, one and three bedroom condominiums.

PROJECT ADDRESS:

Lots 2-8 on the corner of Thompson Street and Chestnut Street in Nipomo, California

ASSESSOR PARCEL NUMBER:

APN: 080-143-003-7-3

LEGAL DESCRIPTION:

BEING A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES OF LOTS 2-8 INCLUSIVE IN BLOCK 3 OF FARMVIEW TRACT, TOWN OF NIPOMO, COUNTY OF CALIFORNIA ACCORDING TO THAT MAP FILED FOR RECORD, JULY 19, 1987 IN BOOK A, PAGE 88 OF MAPS IN THE OFFICE OF SAID COUNTY.

LAND USE

ZONING: Mixed-Use - Residential/Professional Office FCR

LOT INFORMATION

TOTAL LOT AREA: 17,874 sq

BUILDING INFO:

Dwelling Units

Construction: Group R, Div. 1
Construction Type: V-II (SPRINKLED)
PER CBC SECTION 503 SUBSTITUTION APPROVED
FIRE SPRINKLER SYSTEM FOR REQUIRED
ONE-HOUR CONSTRUCTION THROUGHOUT.
Approved Automatic Fire Sprinkler System to meet NFPA 13 standards
Building to comply with California Title 24 Energy Conservation Guidelines

COMMERCIAL INFO:

Occupancy: Group B & M
Construction Type: V-II (SPRINKLED)
PER CBC SECTION 503 SUBSTITUTION APPROVED
FIRE SPRINKLER SYSTEM FOR REQUIRED
ONE-HOUR CONSTRUCTION THROUGHOUT.
Approved Automatic Fire Sprinkler System to meet NFPA 13 standards
Building to comply with California Title 24 Energy Conservation Guidelines

PARKING INFO:

Occupancy: Group B, Div. 3
Construction Type: V-II (SPRINKLED)
Approved Automatic Fire Sprinkler System to meet NFPA 13 STANDARDS
Building to comply with California Title 24 Energy Conservation Guidelines

FINISH MATERIALS

Roofing: Composition Asphalt and Standing Seam Metal
Siding: 3 Coat Stucco Siding, Corrugated Metal Siding, Stone Veneer, Roofing: Ball wood joists with Wood Beams, and Stainless Steel Cable Rail

EXTERIOR LIGHTING

All exterior lighting shall comply with San Luis Obispo County Standards

BUILDING AREA:

Building Area	Percentage of Total Area
Residential	
Plan 1	1155 SF
Plan 2,3,8	1301 SF
Plan 4,7	2025 SF
Plan 5,6	2012 SF
Plan 9	1823 SF
Plan 10	1523 SF
TOTAL =	12277 SF
	68%
Commercial	
Lease Space A:	4330 SF
Lease Space B:	4621 SF
TOTAL =	9251 SF
	52%

SITE COVERAGE

Total Floor Coverage:	22,879 SF
Lot Area:	11,264 SF
Ground Floor Footprint:	1,815 SF
Covered Parking:	3,563 SF
MSR Building Coverage:	15,037 SF

UTILITIES:

Water	Mipomo Community Services District (Existing)
Sewer	Nipomo Community Services District (Existing)
Gas	The Gas Company (Existing)
Electricity	PG&E (Existing)
Cable	Sonic (Existing)
Telephone	Pacific Bell (Existing)

SETBACKS:

Front (Dena Street):	0'-0"
Side:	0'-0"
Side:	0'-0"
Rear:	0'-0"

ALTERNATE MIXED-USE PERCENTAGE

Calculation	Percentage of Total Occupancy
Residential Occupancy: SF / 300 = Occupancy	X
9871 / 300 = 33	25%
Commercial Occupancy: SF / 100 = Occupancy	
9281 / 100 = 93	74%
TOTAL = 128	100%

PARKING REQUIREMENTS: Residential

Requirement:
(1.0) Space per one bedroom or studio unit.
(1.5) Spaces per two bedroom unit.
(1) Space for every 200 SF of Commercial
Guest Parking: (1) space, plus (1) for each 4 units, or fraction thereof beyond the first four, 8'x10' clear interior dimension
parking adjustment to the required number of spaces per the land use ordinance section 22.04.102(b). The following calculations are consistent with our meeting on September 2, 2004 at the county office conference room, if you would like more detail please let me know.

Lower floor (9059 sf)
Fast food uses: 2 restaurants @ 1200 sf = 18 spaces
General Merchandise: 9539 sf = 18 spaces
Upper floors
(10) 3 bedroom residences: 2 x 10 = 20 spaces
Total = 55 spaces
Proposed reduction = 55 x .8 = 44 spaces

PROVIDE:
(5) Covered Spaces, 9'x18' clear
(14) Garage Spaces, 10'x20' clear
(18) Uncovered Spaces, 8'x18' clear
(2) Handicap Spaces, 8'x18' clear w/ (1) 5'x18' clear
(2) Motorcycle Spaces, 4'x20' clear

ARCHITECTURAL CHARACTER:

Color tones favored: a combination of traditional, colorful styles infused with a north rural aesthetic. A variety of stone, wood, stone and brick veneer, and metal will be on the exterior. Roofing will consist on a combination of composition asphalt shingle and standing seam metal roofing.

GARDEN WALLS

All garden walls to be white veneer finish & color to match the building base color w/decorative cap.

MAX. BLDG. HEIGHT

Above the natural grade 40'
Proposed: 38'

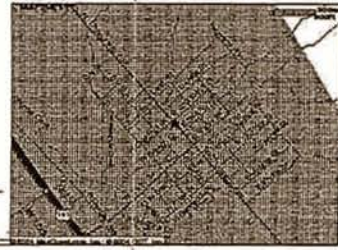
Project Information

LGA
LEONARD GRANT, ARCHITECT
150 JAMES WAY, SUITE 250
PLEASANTON, CALIFORNIA 94566
PH 805-773-7113 FAX 805-773-7115

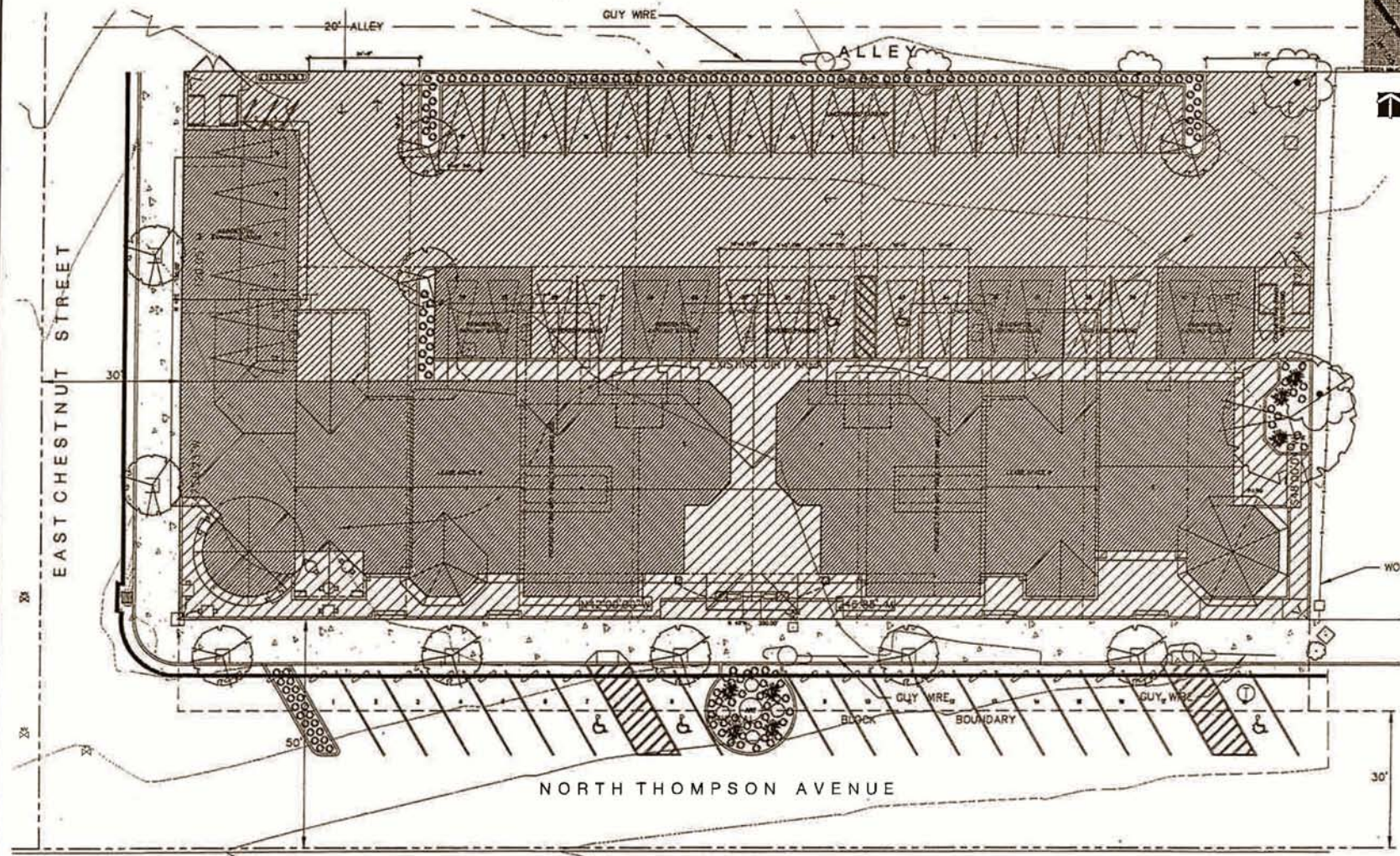


See Order 204

Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California



VICINITY MAP



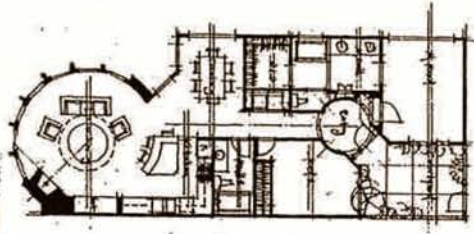
Site Plan



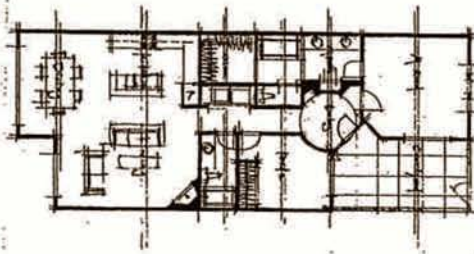
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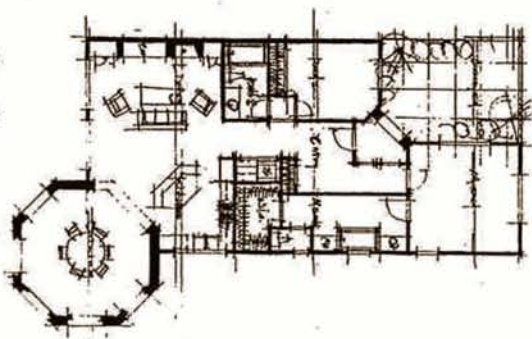
Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California



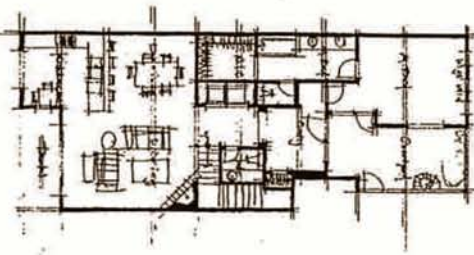
Plan 1 Main Floor



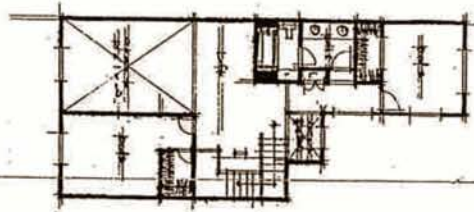
Plan 2 & 3 & 8 Main Floor



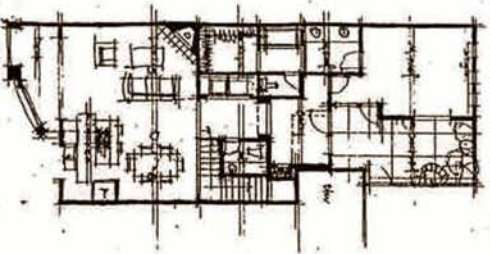
Plan 8 Upper Floor



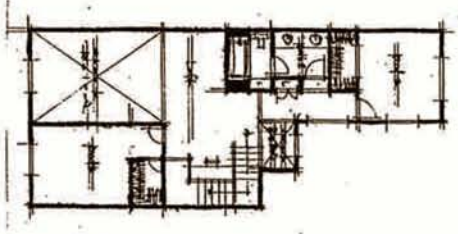
Plan 4 & 7 Main Floor



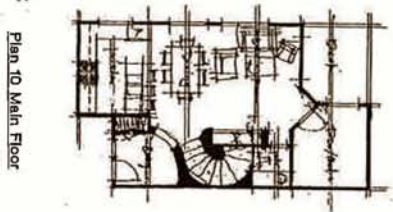
Plan 4 & 7 Upper Floor



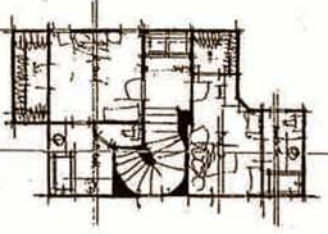
Plan 5 & 6 Main Floor



Plan 5 & 6 Upper Floor



Plan 10 Main Floor



Plan 10 Upper Floor

Floor Plans



LITVIN & ASSOCIATES
ARCHITECTS, INC.
1000 N. MISSION AVENUE, SUITE 100
SAN ANTONIO, TEXAS 78207
TEL: 214.592.1111
WWW.LITVIN.COM

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Ryan

DATE 6/15/04

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER



COPY

1. SLO County Planning Department/Tract or Development No.: _____
2. Project's Location: 1166 & 1816 N. Thompson Ave.
3. Assessor's Parcel Number (APN) of lot(s) to be served: 090-3834-013 + 014
4. Total Number of Residential Units: 10 Condos
5. Owner Name: Chestnut Villas LLC
6. Business Address: 111 Nelson St.
7. Mailing Address: P.O. Box 219, A.G. 93421
8. Phone Number: 481-5182
9. Agent's Name (Architect or Engineer): Greg Nester Construction
10. Mailing Address: P.O. Box 219, A.G. 93421
11. Phone Number: 481-5182
12. Type of Use:
 - Single Family Residence Duplex Triplex Multi-Family
 - Subdivision
 - Commercial? _____ Type _____
 - Remodel: (Project Description) _____
13. Submit six (6) copies of the tract map and one reduced copy (8 1/2" x 11").
(One for each Board member and the manager.)
14. COMMERCIAL PROJECTS - Please provide the following information:
 - a. An engineer or architect's estimate of yearly water (AFY) and sewer (MGD) demand for the project
Water 2.72 AFY Sewer 0.0016 MGD
 - b. Landscaping Irrigation requirements. 0.7 AFY

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**NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER
PAGE TWO**

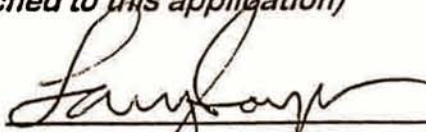
15. The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

16. The undersigned acknowledges receipt of the Nipomo Community Services District Application for District Service Policy and Guidelines (attached).

17. **APPLICATION FEES:**
Intent to Serve Application Processing Fee.....\$ 50.00
(Non-refundable payment attached to this application)

Date _____



(Must be signed by owner or owner's agent)

Larry Souza

Print name

FOR DISTRICT OFFICE USE:

AMOUNT PAID _____ **DATE:** _____ **RECEIPT** _____

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JUNE 23, 2004



REQUEST FOR SERVICE
166 & 186 N. THOMPSON AVENUE
APN 090-384-013 & 014
NESTER

ITEM

Request for water and sewer service for a mixed-use development on N. Thompson at Chestnut

BACKGROUND

The District received a request for water and sewer service for a mixed-use development fronting N. Thompson Avenue at intersection of Chestnut. The proposed development is planned to have commercial on the first floor with residential on the upper floors. The development is proposed to have ten (10) condo units. The estimated water use is 2.79 AFY and sewer demand will be approx. 0.0016 MGD. An Intent-to-Serve letter may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.
6. Install separate fire service if CDF requires on-site fire protection.

RECOMMENDATION

Staff recommends that your Honorable Board approve an Intent-to-Serve letter for APN 090-384-013 & 014 with the above mentioned conditions.

Nipomo Community Services District
Water Allocation Accounting Summary

Water Year 2006-2007													
Project	Dwelling units per category				Water allotment (acres-feet)					Total	Tally	Notes:	
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP/SEC	MF	Low I				
							32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP and MF, proportional to their allotment.
APN 092-083-009/010 - PHASED (year 3 of 4)					11		0.0	0.0	(2.0)	0.0	(2.0)	49.0	Board approved 5/25/5
APN 092-130-043, GRANDE-PHASE (year 2 of 3)					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	49.3	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 2/4					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	43.6	BOD Approved 5/10/06
Tract 2441, Blume and Grande, Phased 1/2				21			(6.3)	0.0	0.0	0.0	(6.3)	37.3	BOD Approved 10/25/06
Kengel Lot Split, West Tefft	3						(1.7)	0.0	0.0	0.0	(1.7)	35.7	GM Approved 11/06
Casas Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	34.0	Gm Approved 12/05
Porter Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	32.4	GM Approved 1/07
Tract 2906, Allshouse, 1 Ave De Amigos				0	11		0.0	0.0	(2.0)	0.0	(2.0)	30.4	BOD Approved 2/14/07
440 Glory Lot Split			1				(0.5)	0.0	0.0	0.0	(0.5)	29.9	GM Approved 5/30/07
Tract 2715 Butterfly Lane				8			(2.4)	0.0	0.0	0.0	(2.4)	27.5	BOD Approved 5/25/07
APN 092-130-014 Euc Gardens (Phased 1/6)					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	24.8	BOD Approved 5/25/07
CD 07-0086 Gutierrez 396 N Mallagh			1				(0.5)	0.0	0.0	0.0	(0.5)	24.3	GM Approved 6/7/07
APN092-261-006 Herrera 440 Glory			1	1			(0.5)	(0.2)	0.0	0.0	(0.7)	23.6	GM Approved 6/7/07
Tract 2523 Schaeffer on Tejas				7			(3.9)	0.0	0.0	0.0	(3.9)	19.7	BOD Approved 6/13/07
APN 092-152-038; 745 Orchard; Arrequin					1		0.0	(0.2)	0.0	0.0	(0.2)	19.5	GM Approved 7/26/07
Totals	9	3	36	2	55	12	(19.0)	(0.4)	(10.0)	(2.1)	(31.5)		
Abbreviations defined:													
SFR = single family residence													
SEC = secondary dwelling (a.k.a. Granny Unit)													
DUP = Duplex													
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)													
Low I = Low income housing in accordance with County housing definition.													
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)													
Phased allocation = 7.4													

T:\Documents\LAND DEVELOPMENT\SERVICE LETTERS\Intent-to-Serve\Allocation Accounting\Allocation accounting.xls

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: August 17, 2007

**AGENDA ITEM
E-2
AUGUST 22, 2007**

APPLICATION FOR SERVICE – “TRADING POST” – NESTER (TEFFT & THOMPSON)

ITEM

Consider Nester “Trading Post” Intent-to-Serve Application for water and sewer service for Tefft and Thompson Mixed Use Project (APN 090-122-11, 12 & 14) and transfer allocation from Single-Family Category 1 to Multi-Family Category 2 [RECOMMEND APPROVAL]

BACKGROUND

The District received the attached new Intent-to-Serve Application from Greg Nester Construction on June 13, 2007. Mr. Nester proposes the project as illustrated by the attached site map. The project would re-subdivide the three existing lots into eight total lots, with six buildings. Building A would be a new 400 square foot single story commercial building. Building B would be a new 4,139 square foot two story commercial and residential building. Building C would be a new 2,617 square foot two story commercial and building. Building D would be a new 4,402 square foot two story commercial building. Building E is the existing storage structure, which would be refurbished. Building F would be three residential units.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected “total demand, including landscaping” shall be established as 0.18 AFY per multiple-family dwelling. According to Section 3.05.040(A1), a total of thirty-five (10.2) AFY including landscaping is reserved for multiple-family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 6 units at 1.08 AFY (6 times 0.18).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 10 AF for other multiple-family dwelling projects in Allocation Year 2006-07. Thus, there is insufficient allocation available in the Multi-Family Category 2 at this time to approve this project without a transfer. The Allocation Policy does, however, allow for transfers between categories. As set forth in the Water Allocation Accounting Summary, sufficient water is available in the Single-Family Category 1 to accommodate this project. To date, single-family projects totaling 19 acre feet have been approved out of 32.5 acre feet available leaving 13.5 acre feet for new projects or transfer (NOTE: there are two other similar applications pending on this agenda).

RECOMMENDATION

Staff recommends your Honorable Board transfer 1.08 AF of water from the Single-Family Category 1 into the Multi-Family Category 2 in AY06-07, direct staff to allocate 1.08 AFY of water to the project in accordance the District’s water allocation policy and issue an Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.
- Water Service for each of the new parcels (existing and new) shall be served by two meters – a single master meter for domestic use and a separate meter for the landscaping.
- Submit improvement plans in accordance with the District Standard Specifications for review and approval.

- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than multi-family mixed use.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the applicant to provide District with written verification that County application for the project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Failure to complete all improvements to District Standards by August 22, 2009. However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.

Should your Honorable Board not wish to approve this Intent-to-Serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENTS

- Current Application
- Water Allocation Accounting Summary



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

RECEIVED
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JUN 13 2007
NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE/WILL-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: _____
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: JETT & THOMPSON
- Assessor's Parcel Number (APN) of lot(s) to be served: 090-122-011/012/014
- Owner Name: GREG NESTER
- Mailing Address: PO BOX 213 ATZANO GRANDE, CA. 93421
- Email: _____
- Phone: 481-5182 FAX: _____

- Agent's Information (Architect or Engineer):
Name: HAMBICK ASSOCIATES, INC.
Address: 1609 COSTA BRAVA, SHEN BEACH, CA. 93449
Email: WADDEN@HAMBICKASSOCIATES.COM
Phone: 773-9377 FAX: 4071

- Type of Project: (circle as applicable)
Single Family Residence Duplex Secondary (a.k.a Granny) Unit
Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)

12. Number of Dwelling Units 6 Number of Low Income units 1

- Does this project require a sub-division? yes (~~no~~)
If yes, number of new lots created approx. 5 lots

14. Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit two (2) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential-portion of mixed use.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.

Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

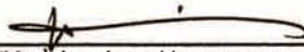
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee..... **\$50.00**

(Non-refundable payment attached to this application)

Date 6/13/07

Signed



(Must be signed by owner or owner's agent)

Print Name

WARDEN HAMRICK

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best-management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

-- - Go to next page for demand calculation and certification -- -

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	<u>6</u>	X	0.18	=	<u>1.08</u>
Number of Duplexes/Secondary Units	<u> </u>	X	0.3	=	<u> </u>
Number of Single Family Units with:					
Parcel less than 4,500 sq. ft.	<u> </u>	X	0.3	=	<u> </u>
Parcel between 4,500 and 10,000 sq. ft.	<u> </u>	X	0.45	=	<u> </u>
Parcel greater than 10,000 sq. ft.	<u>4</u>	X	0.55	=	<u>2.2</u>
Total demand all dwelling units including irrigation				=	<u>3.28</u>

Certification

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

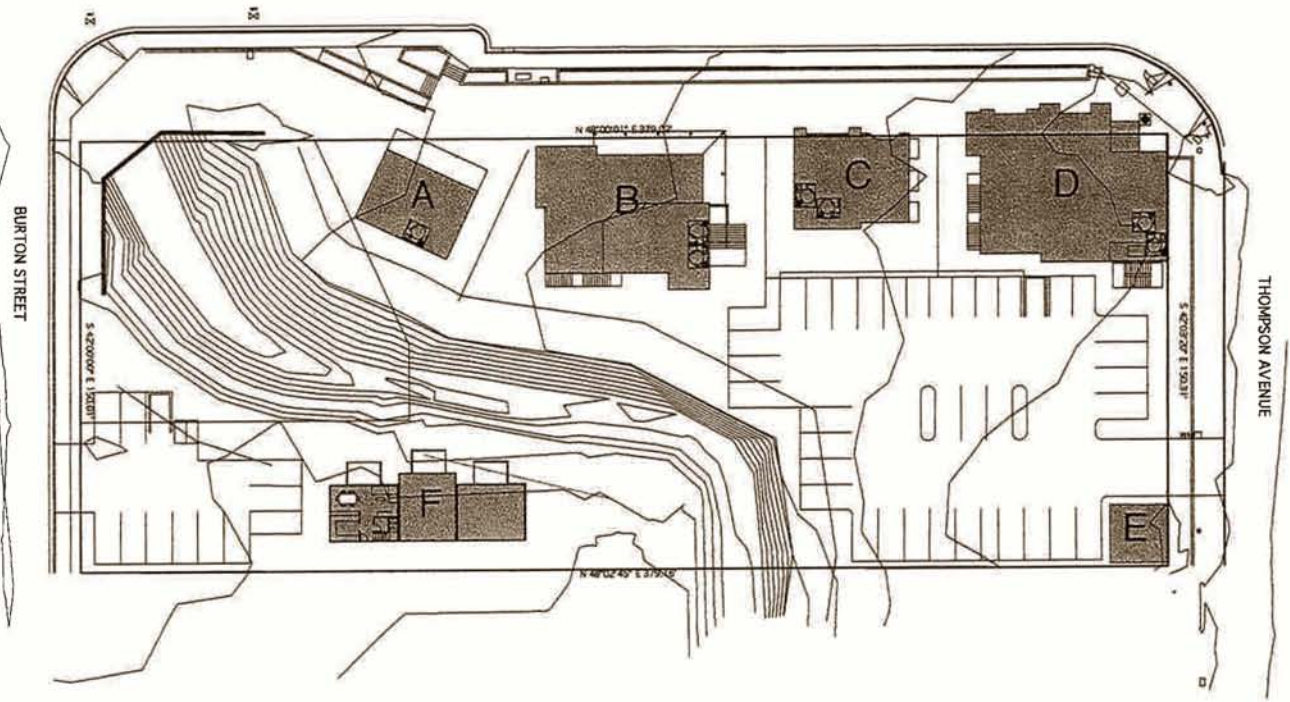
- 0.18 AFY per Multi-Family Dwelling Unit;
- 0.3 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.3 AFY per Single Family Dwelling Unit located on a parcel size of four thousand five hundred (4,500) square feet or less;
- 0.45 AFY per Single Family Dwelling Unit located on a parcel size between four thousand five hundred (4,500) and ten thousand (10,000) square feet.
- 0.55 AFY per Single Family Dwelling Unit located on a parcel size that exceeds ten thousand (10,000) square feet.
- 0.85 AFY for the entire parcel when a secondary home is being added.

Note: "AFY" = acre-foot per year
Parcel size is net area

Signed  Date 6/13/07
Must be signed by project engineer/architect

Title ARCHITECT License Number 14,999

Project TRADING POST (e.g. Tract Number, Parcel Map #, APN)



SITE PLAN
1" = 20'

Hamrick Associates, Inc.

- Architecture
- Planning

1609 Costa Brava,
Shell Beach, CA.
93449

805.773.9377

Architecture Lic. PC 14999

TRADING POST
TEFFT AVENUE
NIPOMO, CA



The use of these plans and specifications shall be restricted to the original site for which they were prepared and no duplication thereof is authorized without the written consent of Hamrick Associates, Inc. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.

DO NOT SCALE THESE DRAWINGS. See Attachment Plans for written dimensions.

The Owner retains all rights and shall be responsible for all dimensions and existing conditions on the job and shall report any discrepancies to the architect for resolution. PROJECT is not responsible for any errors or omissions in the drawings or specifications or for any consequences arising therefrom. PROJECT is not responsible for any consequences arising therefrom.

Copyright © 2006

Date	Remarks

PRELIMINARY PLAN

Sheet Number
A-1.1

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AUG 06 2007
NIPOMO COMMUNITY SERVICES CENTER

Parking Calculations

Building A

ground floor	400 sf/300	1.33
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Building B

ground floor	3023 sf/300	10.08
second floor	2106 sf/300	7.02

Building C

ground floor	1285 sf/300	4.28
second floor	1332 sf/300	4.44

Building D

ground floor	2201 sf	
food sales	1245 sf/200	6.23
checkstands	2	2.0
storage	956 sf/600	1.59
second floor	2201 sf/300	7.34

Building E

ground floor	910 sf/300	3.03
--------------	------------	------

Residential

Across creek	3 units x 2 ea	6.0
--------------	----------------	-----

Total required **53.34 spaces**

Provided:


45 spaces + 2 Equivalent MC spaces=	47
Parking Bonus for Mixed Use: 47x1.2	56.40 Spaces Provided

Nipomo Community Services District
Water Allocation Accounting Summary

Water Year 2006-2007													
Project	Dwelling units per category				Water allotment (acre-feet)					Total	Tally	Notes:	
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC	MF				Low I
							32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP and MF, proportional to their allotment.
APN 092-083-009/010 - PHASED (year 3 of 4)					11		0.0	0.0	(2.0)	0.0	(2.0)	49.0	Board approved 5/25/05
APN 092-130-043, GRANDE-PHASE (year 2 of 3)					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	46.3	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 2/4					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	43.6	BOD Approved 5/10/06
Tract 2441, Blume and Grande, Phased 1/2			21				(6.3)	0.0	0.0	0.0	(6.3)	37.3	BOD Approved 10/25/05
Kengel Lot Split, West Tefft	3						(1.7)	0.0	0.0	0.0	(1.7)	35.7	GM Approved 11/06
Casas Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	34.0	GM Approved 12/06
Porter Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	32.4	GM Approved 1/07
Tract 2906, Ailshouse, 1 Ave De Amigos			0		11		0.0	0.0	(2.0)	0.0	(2.0)	30.4	BOD Approved 2/14/07
440 Glory Lot Split		1					(0.5)	0.0	0.0	0.0	(0.5)	29.9	GM Approved 5/30/07
Tract 2715 Butterfly Lane			8				(2.4)	0.0	0.0	0.0	(2.4)	27.5	BOD Approved 5/25/07
APN 092-130-014 Euc Gardens (Phased 1/6)					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	24.8	BOD Approved 5/25/07
CO 07-0086 Gutierrez 396 N Mallagh		1					(0.5)	0.0	0.0	0.0	(0.5)	24.3	GM Approved 6/7/07
APN092-261-006 Herrera 440 Glory		1		1			(0.5)	(0.2)	0.0	0.0	(0.7)	23.6	GM Approved 6/7/07
Tract 2523 Schaeffer on Tejas			7				(3.9)	0.0	0.0	0.0	(3.9)	19.7	BOD Approved 6/13/07
APN 092-152-038; 745 Orchard; Arrequin				1			0.0	(0.2)	0.0	0.0	(0.2)	19.5	GM Approved 7/28/07
Totals	9	3	36	2	55	12	(19.0)	(0.4)	(10.0)	(2.1)	(31.5)		
Abbreviations defined:													
SFR = single family residence													
SEC = secondary dwelling (a.k.a. Granny Unit)													
DUP = Duplex													
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)													
Low I = Low income housing in accordance with County housing definition.													
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)													
Phased allocation = 7.4													

T:\Documents\LAND DEVELOPMENT\SERVICE LETTERS\Intent-to-Serve\Allocation Accounting\Allocation accounting.xls

TO: BOARD OF DIRECTORS

FROM: BRUCE BUEL 

DATE: AUGUST 17, 2007

AGENDA ITEM

E-3

AUGUST 22, 2007

APPLICATION FOR SERVICE - TRACT 2689 – FLATLEY (691 W. TEFFT)

ITEM

Consider Flatley Intent-to-Serve Application for water and sewer service for Mixed-Use Project at 691 W. Tefft (Tract 2689) and transfer allocation from single-family category to multi-family category [RECOMMEND APPROVAL]

BACKGROUND

Your Honorable Board previously approved an Intent-to-Serve Letter for Mixed-Use Project (22 multiple-family units and commercial) to Flatley Homes for this site on June 23, 2004. That Intent-to-Serve letter expired on June 23, 2007, and the applicant has already used his one extension (See 2004 Application and 2004 I-T-S Letter attached). Flatley Homes has an executed Plan Check and Inspection Agreement and an outstanding Plan Check Deposit on account at NCSD. The project's development plans have been approved through NCSD's Plan Check process and NCSD has issued a "Notice to Proceed" for construction of utilities.

The District received the attached new Intent-to-Serve Application from Flatley Homes on July 3, 2007. Flatley Homes proposes the project as illustrated by the attached site map.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as 0.18 AFY per multiple family dwelling. According to Section 3.05.040(A1), a total of thirty-five (10.2) AFY including landscaping is reserved for multiple-family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 22 units at 4.0 AFY (22 times 0.18) and construction would be required to be phased over two allocation years (11 units in AY06-07 and 11 units in AY07-08).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 10 AF for other multiple-family dwelling projects in Allocation Year 2006-07. Thus, there is insufficient allocation available in the Multi-Family Category 2 at this time to approve this project without a transfer. The Allocation Policy does, however, allow for transfers between categories. As set forth in the Water Allocation Accounting Summary, sufficient water is available in the Single-Family Category 1 to accommodate this project. To date, single-family projects totaling 19 acre feet have been approved out of 32.5 acre feet available leaving 13.5 acre feet for new projects or transfer (NOTE: there are two other similar applications pending on this agenda).

RECOMMENDATION

Staff recommends your Honorable Board transfer 2.0 AF of water from the Single-Family Category 1 into the Multi-Family Category 2 in AY06-07 and 2.0 AF of water from Single-Family to Multi-Family in AY 07-08, direct staff to allocate 2.0 AFY of water to the project in each allocation year in accordance the District's water allocation policy and re-issue the Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.

- Water Service for the entire parcel (existing and new) shall be served by two meters – a single master meter for dwelling units and a separate meter for the landscaping.
- No more than 11 units will be occupied prior to September 30, 2007.
- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than multi-family.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the applicant to provide District with written verification that County application for the project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - Failure to complete all improvements to District Standards by August 22, 2009. However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.

Should your Honorable Board not wish to approve this Intent-to-Serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENTS

- Current Application
- Previous Application
- Water Allocation Accounting Summary



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

INTENT-TO-SERVE/WILL-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: ~~5471~~ 2690 2689
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: 691 W. Tefft
- Assessor's Parcel Number (APN) of lot(s) to be served: 92-130-016
- Owner Name: West Tefft L.L.C.
- Mailing Address: 1248 E Grand Ave Arroyo Grande, CA 93420
- Email: terryjr@flatleyhomes.com
- Phone: 805-929-3311 FAX: 805-929-4044

- Agent's Information (Architect or Engineer):
Name: Cebulla Associates
Address: Po Box 42, Pismo Beach, CA 93448
Email: Matthew@Cebullaassociates.net
Phone: 805-473-1298 ext 103 FAX: _____

- Type of Project: (circle as applicable)
Single Family Residence Duplex Secondary (a.k.a Granny) Unit
Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)
- Number of Dwelling Units 22 Number of Low Income units 0
- Does this project require a sub-division? Yes (yes/no)
If yes, number of new lots created 6

- Site Plan:
For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:
 - more than four dwelling units
 - property requiring sub-divisions
 - higher than currently permitted housing density
 - commercial developments

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JUL 03 2007
NIPOMO COMMUNITY SERVICES DISTRICT

All other projects, submit two (2) standard size (24" x 36") and one reduced copy (8½" x 11").
Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential-portion of mixed use.

16. **Commercial Projects Service Demand Estimates:**


Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.
Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee..... **\$50.00**
(Non-refundable payment attached to this application)

Date 7-3-07 Signed 
(Must be signed by owner or owner's agent)
Print Name TERRENCE B. FLATLEY

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best-management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

-- - Go to next page for demand calculation and certification - - -

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	<u>6</u>	X	0.18	=	<u>1.08</u>
Number of Duplexes/Secondary Units	<u>16</u>	X	0.3	=	<u>4.80</u>
Number of Single Family Units with:					
Parcel less than 4,500 sq. ft.	<u>-0-</u>	X	0.3	=	<u> </u>
Parcel between 4,500 and 10,000 sq. ft.	<u>-0-</u>	X	0.45	=	<u> </u>
Parcel greater than 10,000 sq. ft.	<u>-0-</u>	X	0.55	=	<u> </u>
Total demand all dwelling units including irrigation				=	<u>5.88</u>

Certification

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.18 AFY per Multi-Family Dwelling Unit;
- 0.3 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.3 AFY per Single Family Dwelling Unit located on a parcel size of four thousand five hundred (4,500) square feet or less;
- 0.45 AFY per Single Family Dwelling Unit located on a parcel size between four thousand five hundred (4,500) and ten thousand (10,000) square feet.
- 0.55 AFY per Single Family Dwelling Unit located on a parcel size that exceeds ten thousand (10,000) square feet.
- 0.85 AFY for the entire parcel when a secondary home is being added.

Note: "AFY" = acre-foot per year
Parcel size is net area

Signed Charles Cobble Date 7-3-07
Must be signed by project engineer/architect

Title Architect License Number C3445

Project Tract 2690 APN 92-130-016 (e.g. Tract Number, Parcel Map #, APN)

NIPOMO COMMUNITY

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR



SERVICES DISTRICT

STAFF

DOUGLAS JONES, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL
DAN MIGLIAZZO, UTILITY SUPERVISOR

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address gm@nipomocsd.com

June 23, 2004

Terrance B. Flatley
1715 N. Refugio Rd.
Santa Ynez, CA 93460

This is not a Will Serve letter

SUBJECT: INTENT-TO-SERVE WATER SERVICE
APN 092-130-016 691 W. TEFFT STREET
22-UNIT DEVELOPMENT IN NIPOMO

ORIGINAL

An Intent-to-Serve letter for water and sewer service for APN 092-130-016, a 22-unit development at 691 W. Tefft Street in Nipomo, is granted subject to the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Install and pay fees for separate fire service, if CDF requires on-site fire protection.
6. Comply with District water conservation program.
7. This Intent-to-Serve Letter will expire two years from date of issuance.

As required by Section 19.20.238 Title 19 of the San Luis Obispo County Code, the Nipomo Community Services District certifies that it will provide potable water service to APN 092-130-016 and that it has sufficient water resources and sewer system capacity to provide such service. Notwithstanding any other language in this letter, the District certifies that (1) it will provide new service to the parcel(s) within the development on the same basis as it provides new service to any other legal parcel within the District's service area; and (2) once new service is established for a parcel(s) within the development, the District will provide service to said parcel on the same basis as it provides service to other customers within the same land use designation.

This is not a Will Serve letter

ORIGINAL

Notwithstanding to the above paragraph, notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water, which the District serves to its water customers.


The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT


Doug Jones
General Manager

Will-Serve/Intent/APN 092-130-016 FLATLEY

NIPOMO COMMUNITY

BOARD MEMBERS

LARRY VIERHEILIG, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
ED EBY, DIRECTOR



SERVICES DISTRICT

STAFF

BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: NipomoCSD.com

September 12, 2006

Mr. Terrence Flatley
Flatley Homes
P. O. Box 2478
Nipomo, CA 93444

SUBJECT: TRACT 2690, 22 UNIT DEVELOPMENT @ 691 W. TEFFT, INTETRPRETATION OF
INTENT TO SERVE APPROVAL


Dear Mr. Flately,

This letter constitutes NCSD's interpretation that the Intent to Serve Letter issued for the above captioned project on June 23, 2004 constitutes the District's authorization for Terrance B. Flatley to install water and sewer improvements supporting the ultimate development of 22 units on up to 22 separate parcels at Tract 2690.

If you have any questions, please don't hesitate to call me.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT



Bruce Buel
General Manager

cc: File

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NIPOMO COMMUNITY



SERVICES DISTRICT

BOARD MEMBERS

LARRY VIERHEILIG, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
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148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: NipomoCSD.com

September 12, 2006

Mr. Terrence Flatley
Flatley Homes
P. O. Box 2478
Nipomo, CA 93444

SUBJECT: TRACT 2690, 22 UNIT DEVELOPMENT @ 691 W. TEFFT, EXTENSION OF INTENT
TO SERVE LETTER (THIS IS NOT A WILL SERVE LETTER)


Dear Mr. Flatley,

This letter constitutes NCSD's extension of the June 23, 2004 Intent to Serve Letter for the above captioned project for one year through June 23, 2007.

If you have any questions, please don't hesitate to call me.

Sincerely,

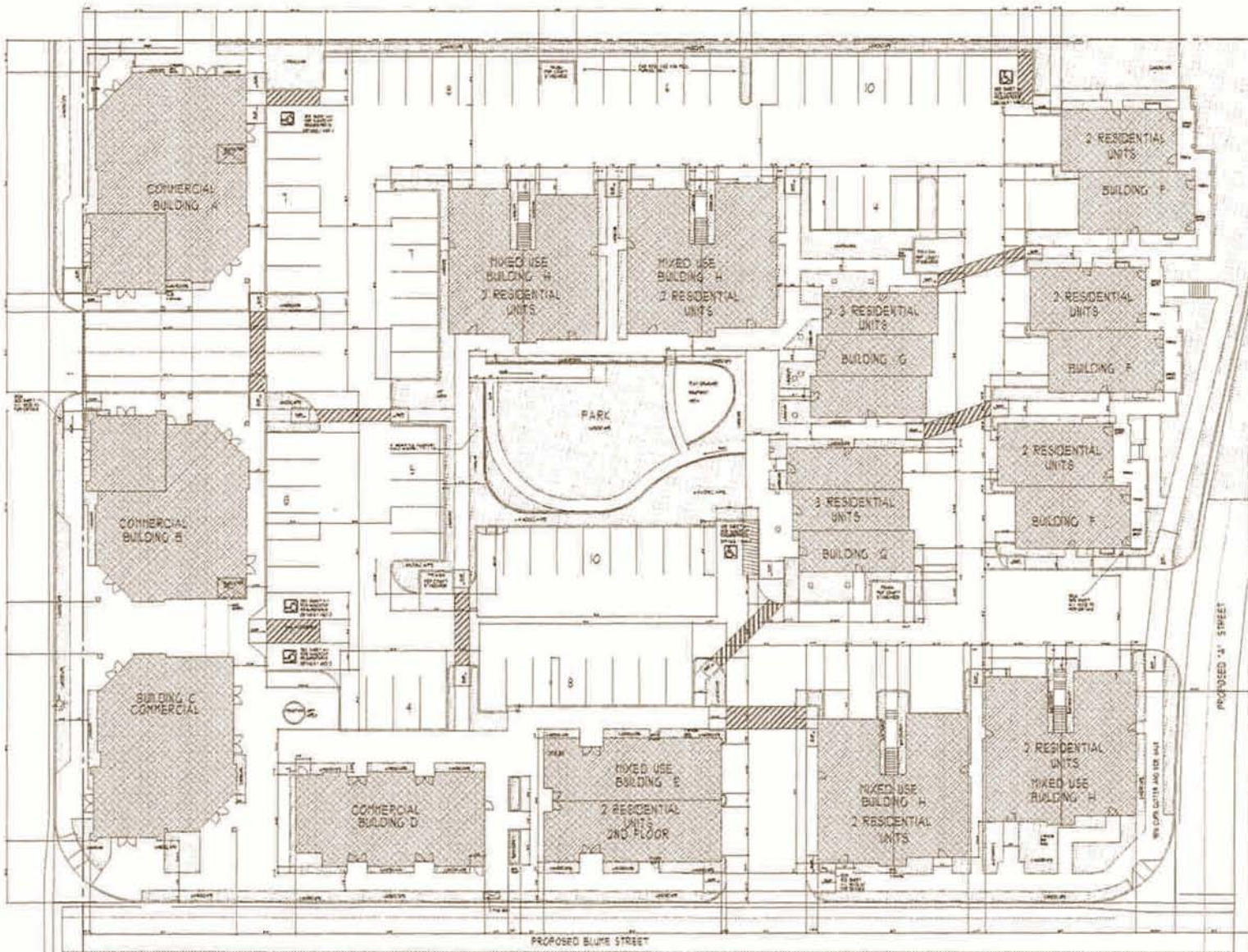
NIPOMO COMMUNITY SERVICES DISTRICT



Bruce Buel
General Manager

cc: File

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PARKING PROVIDED = 15 SPACES
 11 OPEN / 5 HANDICAP
 34 COVERED

PARKING REQUIRED:
 COMMERCIAL AREA = 3000 / 300 = 10; SPACES
 RESIDENTIAL = 22 x 15 = 33 SPACES
 RESIDENTIAL GUEST = 4 SPACES
 TOTAL REQUIRED = 47 SPACES
 LESS 30% = 30 SPACES
 NET REQUIRED = 17 SPACES

LEGEND	
SYMBOL	DESCRIPTION
	ASPHALT PAVING
	LANDSCAPING
	CONCRETE PAVING
	BUILDING



SITE PLAN

SCALE: 1:20



TERRENCE B. FLATLEY, INC.
 PH. 805-929-3311
 1715 N REFUGIO RD.
 SANTA YNEZ, CA 93460

2975

No.

7/3/07

Pay to the order of MCSD \$ 50.00
FIFTY AND 00/100



Terrence B. Flatley

⑆122221686⑆2975 ⑆52509057⑆

 * Nipomo CSD *

 148 S Wilson
 PO Box 326
 Nipomo, CA 93444

July 3, 2007 Receipt #.: 64620
 Tuesday 2:40 pm Register #.: 000
 By: KATHY Terminal ID: T0

APPL		
APPLICATION FEE	50.00	50.00
Cmt: TRACT 2689		
Total		50.00
Check # 002975		
Check Amt....:	50.00	
Cash.....:	.00	
Amt Tendered:	50.00	
Total Paid..:		50.00
Change.....:		.00
Paid By.: TERRENCE FLATLEY		

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: JUNE 23, 2004



REQUEST FOR SERVICE
APN 092-130-016
FLATLEY

ITEM

Request for service for a mixed-use development at 691 W. Tefft Street

BACKGROUND

The request for District services was denied on a 3-2 vote. Your Honorable Board requested that this item be reconsidered at the June 23rd Board meeting.

As previously discussed, the District received a request from Terence Flatley for water and sewer service for a mixed-use, retail and office development on W. Tefft Street, as shown on the attached map.


The project consists of approximately 27,000 sq. feet of commercial and office space and another 27,000 sq. feet of residential development.

Anticipated water use is 10 AFY for domestic and office space and 2 AFY for irrigation. The sewer demand would be .009 MGD. Your Honorable Board may approve the Intent-to-Serve with the following conditions

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Any change in the project will require a re-evaluation of water and sewer services.
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board approve an Intent-to-Serve letter for the mixed-use development at APN 092-130-016 with the above mentioned conditions.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: JUNE 9, 2004

AGENDA ITEM

D6

JUNE 9, 2004

REQUEST FOR SERVICE

APN 092-130-016

FLATLEY

ITEM

Request for service for a mixed-use development at 691 W. Tefft Street

BACKGROUND

The District has received a request from Terence Flatley for water and sewer service for a mixed-use, retail and office development on W. Tefft Street, as shown on the attached map. The project consists of approximately 2,700sq. feet of commercial and office space and another 2,700sq. feet of residential development.

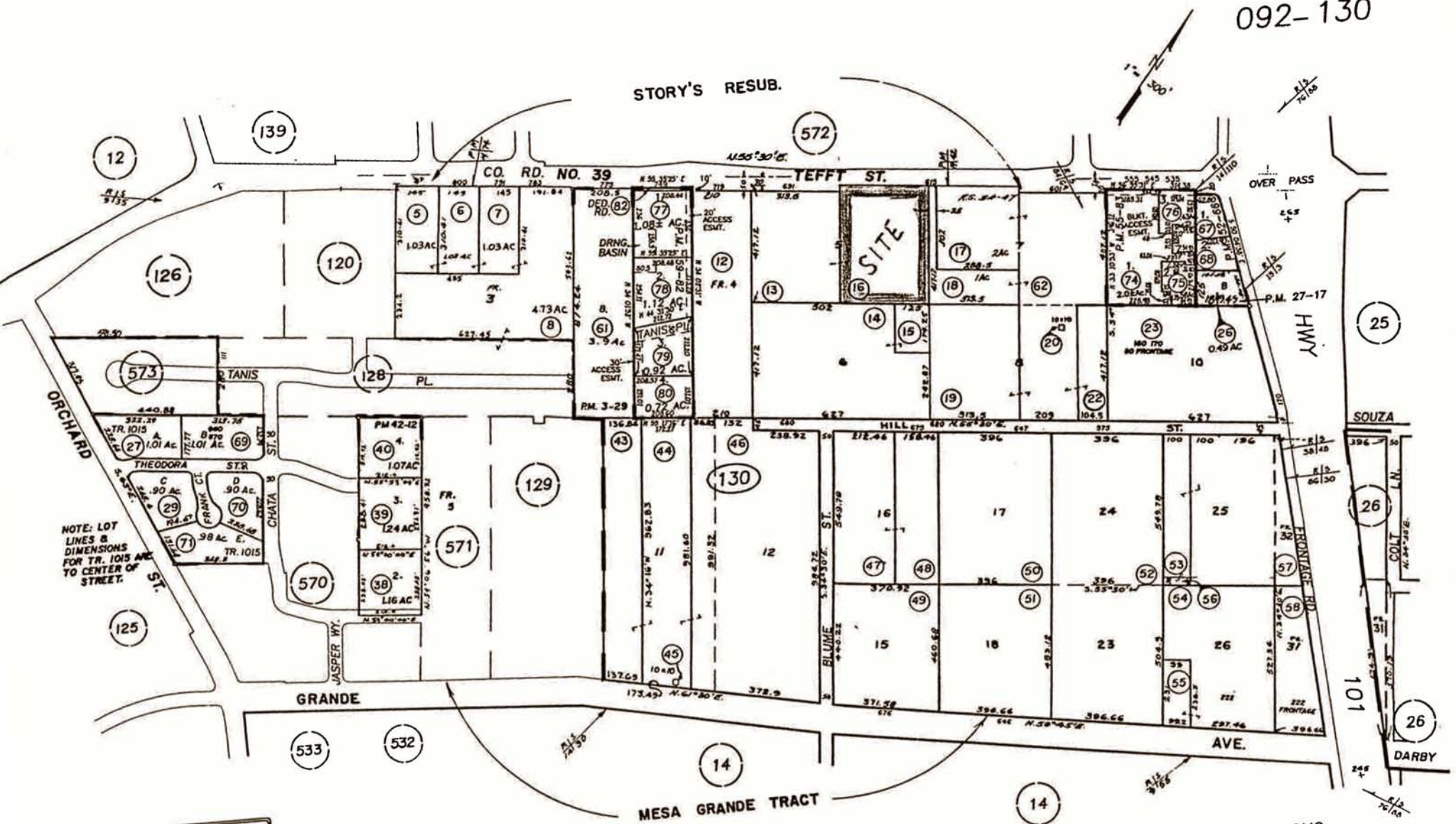
Anticipated water use is 10 AFY for domestic and office space and 2 AFY for irrigation. The sewer demand would be .009 MGD. Your Honorable Board may approve the Intent-to-Serve with the following conditions

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

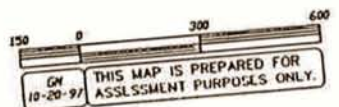
Staff recommends that your Honorable Board approve an Intent-to-Serve letter for the mixed use development at APN 092-130-016 with the above mentioned conditions.

STORY'S RESUB.



NOTE: LOT LINES & DIMENSIONS FOR TR. 1015 ARE TO CENTER OF STREET.

REVISIONS	
LS	DATE
04-NA	07-02-03
04-336	02-12-04
04-383	03-04-04
04-405	03-11-04
04-336	04-19-04



STORY'S RESUB. (PTN. OF RHO. NIPOMO), R.M. BK. A , Pg. 19
 MESA GRANDE TRACT (PTN. OF RHO. NIPOMO), R.M. BK. A , Pg. 18
 Copy of document found at www.NoNewWipTax.com

NIPOMO
 ASSESSOR'S MAP, COUNTY OF
 SAN LUIS OBISPO, CA
 BOOK 092 PAGE 130

DATE 5-26-04

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER

1. SLO County Planning Department/Tract or Development No.: _____
2. Project's Location: 691 W. Tefft
3. Assessor's Parcel Number (APN) of lot(s) to be served: 92-130-016
4. Total Number of Residential Units: 22
5. Owner Name: Terrance B. Flatley
6. Business Address: 1715 N. Refugio Rd., Santa Ynez, CA 93460
7. Mailing Address: Same
8. Phone Number: 805-693-1876
9. Agent's Name (Architect or Engineer): Cebulla Associates
10. Mailing Address: P.O. Box 42, Pismo Beach, CA 93448
11. Phone Number: 805-473-1298 Cell 310-2316
12. Type of Use: EX 103
 Single Family Residence Duplex Triplex Multi-Family
 Subdivision
 Commercial? _____ Type Mix of retail and office
 Remodel: (Project Description) _____
13. Submit six (6) copies of the tract map and one reduced copy (8½" x 11").
(One for each Board member and the manager.)
14. COMMERCIAL PROJECTS – Please provide the following information:
 - a. An engineer or architect's estimate of yearly water (AFY) and sewer (MGD) demand for the project
Water 10 AFY Sewer 0.009 MGD
 - b. Landscaping irrigation requirements. 2 AFY

RECEIVED
MAY 26 2004
NIPOMO COMMUNITY
SERVICES DISTRICT

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER
PAGE TWO

14. The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgements or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782.

15. The undersigned acknowledges receipt of the Nipomo Community Services District Application for District Service Policy and Guidelines (attached).

16. APPLICATION FEES:
Intent to Serve Application Processing Fee.....\$ 50.00
(Non-refundable payment attached to this application)

Date 5-26-04

(Must be signed by owner or owner's agent)

Charles Cebulla
Print name

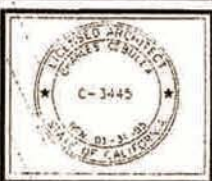
FOR DISTRICT OFFICE USE:

AMOUNT PAID 50⁰⁰ DATE: 5-26-04 RECEIPT # 2833



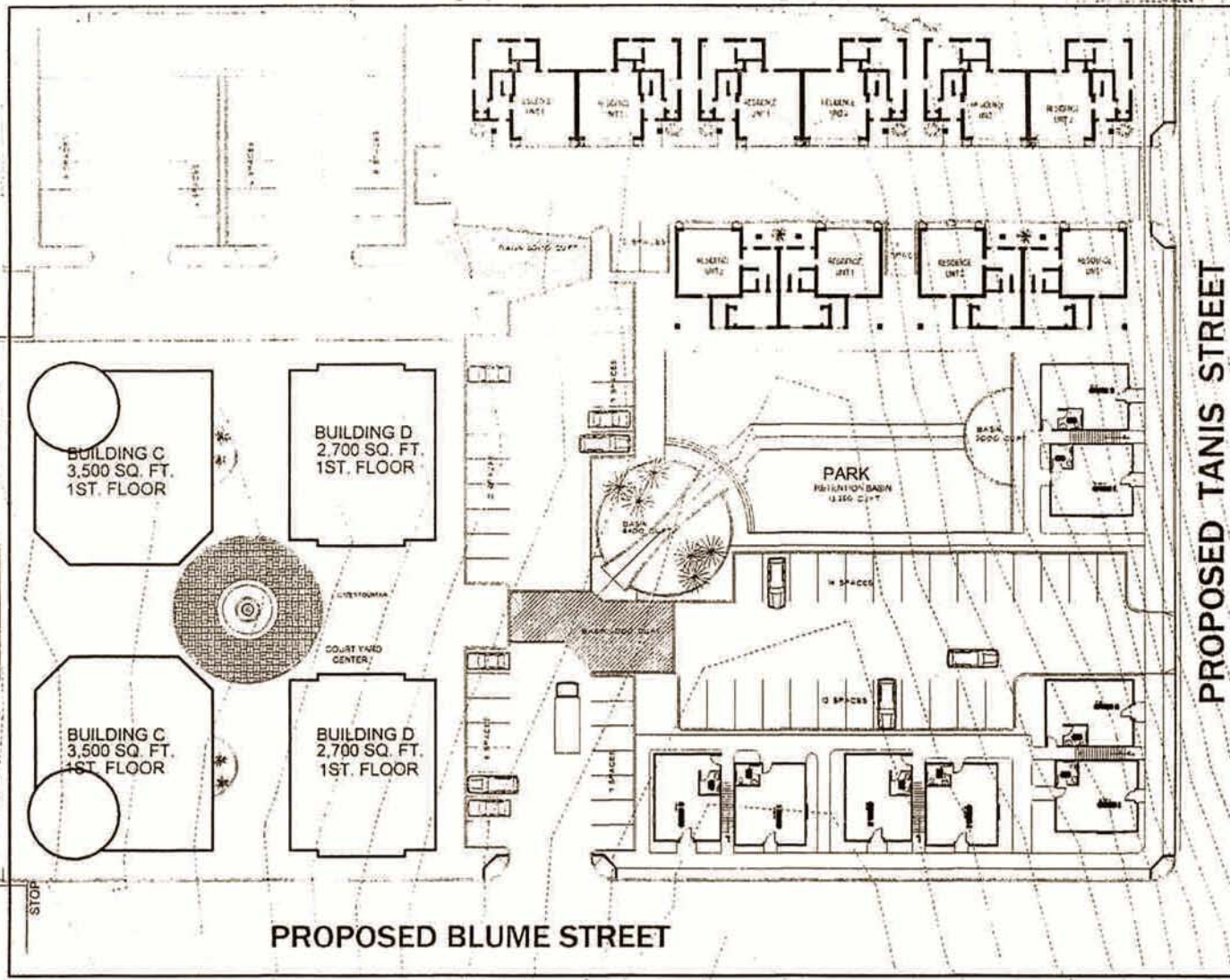
CEBULLA ASSOCIATES
 NO. 501 42
 P.O. BOX 42
 NIPOMO BEACH, CA 93442
 PH: (805) 472-1124
 FAX: (805) 475-8203
 Architect: CHARLES CEBULLA
 Designer: MATT CEBULLA
 Designer: RON CEBULLA

PROJECT:
 COMMERCIAL BUILDING
 691 WEST TEFFT STREET
 NIPOMO, CA
 OWNER:
 TERRY PLATLEY



REVISIONS

JOB # 04101
 DATE 3.01.04
 SHEET NO
 1



PROJECT INFO:

TOTAL COMMERCIAL AND OFFICE 21,000 sq.ft.
 TOTAL RESIDENTIAL 21,000 sq.ft.
 TOTAL RESIDENTIAL UNITS 22

PRELIMINARY SITE PLAN

PROPOSED MIXED USE DEVELOPMENT

691 WEST TEFFT STREET
 NIPOMO, CA



SCALE: 1:20

Nipomo Community Services District
Water Allocation Accounting Summary

Water Year 2006-2007													
Project	Dwelling units per category					Water allotment (acre-feet)					Total	Tally	Notes:
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I			
							32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP and MF, proportional to their allotment.
APN 092-083-009/010 - PHASED (year 3 of 4)					11		0.0	0.0	(2.0)	0.0	(2.0)	49.0	Board approved 5/25/05
APN 092-130-043, GRANDE-PHASE (year 2 of 3)					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	46.3	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 2/4						11	4	0.0	0.0	(2.0)	(0.7)	43.6	BOD Approved 5/10/06
Tract 2441, Blume and Grande, Phased 1/2			21				(6.3)	0.0	0.0	0.0	(6.3)	37.3	BOD Approved 10/25/06
Kengel Lot Split, West Telft	3						(1.7)	0.0	0.0	0.0	(1.7)	35.7	GM Approved 11/06
Casas Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	34.0	Gm Approved 12/06
Porter Lot Split, Pino Solo Lane	3						(1.7)	0.0	0.0	0.0	(1.7)	32.4	GM Approved 1/07
Tract 2906, Allshouse, 1 Ave De Amigos				0		11	0.0	0.0	(2.0)	0.0	(2.0)	30.4	BOD Approved 2/14/07
440 Glory Lot Split		1					(0.5)	0.0	0.0	0.0	(0.5)	29.9	GM Approved 5/30/07
Tract 2715 Butterfly Lane			8				(2.4)	0.0	0.0	0.0	(2.4)	27.5	BOD Approved 5/25/07
APN 092-130-014 Euc Gardens (Phased 1/6)						11	4	0.0	0.0	(2.0)	(0.7)	24.8	BOD Approved 5/25/07
CO 07-0086 Gutierrez 396 N Mallagh		1					(0.5)	0.0	0.0	0.0	(0.5)	24.3	GM Approved 6/7/07
APN092-261-006 Herrera 440 Glory		1			1		(0.5)	(0.2)	0.0	0.0	(0.7)	23.6	GM Approved 6/7/07
Tract 2523 Schaeffer on Tejas			7				(3.9)	0.0	0.0	0.0	(3.9)	19.7	BOD Approved 6/13/07
APN 092-152-038; 745 Orchard; Arrequin						1	0.0	(0.2)	0.0	0.0	(0.2)	19.5	GM Approved 7/26/07
Totals	9	3	36	2	55	12	(19.0)	(0.4)	(10.0)	(2.1)	(31.5)		
Abbreviations defined:													
SFR = single family residence													
SEC = secondary dwelling (a.k.a. Granny Unit)													
DUP = Duplex													
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)													
Low I = Low income housing in accordance with County housing definition.													
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)													
Phased allocation = 7.4													

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